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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JULIO CESAR SANCHEZ,

Plaintiff,

vs.

DALLAS ANDRUSS et al.,

Defendants.

No. CV-10-03213-MMC

STIPULATION TO CONTINUE
HEARING ON DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT, TO EXTEND TIME
FOR RESPONSE, REPLY

The parties, through their counsel of record, have met and conferred. In the interests of justice and judicial economy the parties have stipulated that the hearing on the Motion for Summary Judgment should be continued to **April 26, 2013**, that the response to the Motion for Summary Judgment should be due **April 5, 2013**, and that the Reply should be due **April 12, 2013**. The parties stipulate to this schedule because the plaintiff did not receive the motion papers until on or after February 5, 2013. In addition, counsel for plaintiff needs substantial time to transmit declarations back and forth to his client in time to file a response to the Motion for Summary Judgment. Also, counsel for plaintiff is seeking permission to depose defendant Andruss in a separate filing, and counsel for plaintiff may need to request permission to conduct a deposition or depositions in order to defend against the summary judgment motion. Additionally, there is a distinct possibility that the parties can agree to narrow down the issues presented in the Motion for

1 Summary Judgment if additional time is afforded counsel for plaintiff to review the
2 motion and discuss it with the plaintiff. Thus, the parties stipulate to the
3 continuance of the Motion for Summary Judgment hearing date and the filing dates
4 for the response and the reply, in addition to the date for the settlement conference
5 until a time after the issuance of the ruling on the defense summary judgment
6 motion.

7 Thus, the parties stipulate to the continuance of the hearing on the Motion
8 for Summary Judgment, now set for March 15, 2013, to **April 26, 2013**.

9 **IT IS SO STIPULATED.**

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11 Dated: February 15, 2013

/s/ by Jeff Price by permission
Julianne Mossler
Deputy Attorney General for Defendants

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14 Dated: February 15, 2013

/s/ Jeff Price
Jeff Price
Attorney for Plaintiff Sanchez

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16 PURSUANT TO General Order 45, § 10(B), counsel for plaintiff hereby attests
17 that Ms. Mossler gave permission to electronically sign this stipulation on her
18 behalf.

19 **IT IS SO ORDERED**

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22 Dated: February 19, 2013


UNITED STATES JUDGE MAXINE M. CHESNEY